

REMARKS

Reconsideration of this application as amended is respectfully requested.

Applicants MEDICATION ADMINISTRATION METHOD is based on a system that schedules the taking of medications based upon the month, date and time of day that the medications are to be taken. Scheduling by months, date and time of day provides flexibility. This system can accommodate a substantial number of medications. Any frequency for taking each medication can be accommodated. The frequency for each medication may vary from less than every two hours to once per year. Special instructions are unlimited. The patient can be instructed to not eat for X minutes after taking medication or to take a medication while eating. Special instructions may be given in the event that a medication is not taken at the times scheduled.

The instructions for taking medications can be tailored to meet the requirements of the patient. A patient can record the messages himself or the messages can be recorded for him by a medical professional. Medications can be described by their scientific name, their color, their shape or as in "container D" for example.

Once the reminder device is ready for use, a patient is alerted (light, sound and/or vibration), presses the play switch, listens to the message and follows the instructions given. The alert system is turned off by pressing the play

switch.

Claims 1, 2, 4 and 5 were rejected as unpatentable over Newland in view of Sekura et al. Newland discloses a medication dispenser with four containers per day for seven days. The system must be started over after seven days. The twenty eight compartments are unlocked according to a preset time schedule over a period of seven days. The one week schedule can be repeated. Recorded instructions are not automatically played. There is no provision for warnings to be automatically played. Newland does not have a system for handling a medication to be taken once every ten days along with a medication to be taken four times per day.

Sekura et al discloses a prescription compliance device. The device includes pre-programmed medication taking regiments one of which is selected for each medication. After the medication is taken, the patient is to press an advance switch to indicate compliance and discontinue audible and visual signals. The device tells a patient if medication is missed. The patient is to direct the device as to how to proceed when a medication is missed.

Claim 1 includes entering a month, date and time of day schedule for taking a medication. Neither Newland or Sekura et al require such information for each medication. Providing this information provides flexibility to handle medications to be taken multiple times per day, weekly, monthly, quarterly or yearly. Applicants device only requires the patient to press a play button each time an alert signal

is generated and to listen to the recorded message. There is no event switch to press or lid lock that may lock again. In view of the above, claim 1 is amended as allowable.

Claims 2-4 are dependant upon claim 1 and are allowable together with claim 1 for reasons set forth above.

Claim 3 was rejected as unpatentable over Newland in view of Sekura et al and further in view of Kirton et al. Kirton et al merely repeats the alert signal a prescribed number of times then, if the patient fails to acknowledge by a box 64, the microcontroller stores the event as missed data and returns to the "ready mode" (column 5, lines 29-33). There is no message disclosed by Kirton et al telling the patient what to do except to proceed to the next step. The message is contemplated by applicants would instruct the patient to skip the missed medicine because it may conflict with another medication or would be too strong when combined with the next scheduled dose of the same medication, for example. Kirton et al does not, as understood by applicants, provide a patient with specific instructions for future action when a medication has been missed. Apparently, Kirton et al did not recognize a potential threat to patient's health. Claim 3 is allowable in view of the limitations of Kirton et al as well as the above remarks concerning claim 1.

Claim 5 is an independent claim that includes the steps of entering a month, date and time of day schedule for the times in which a person is to listen to a recorded reminder message concerning an action to be taken. Claim 5

also includes the step of pressing a play button to play a recorded message and turn off the signal to alert a patient. Neither of these features are shown or suggested by Newland or Sekura et al. Claim 5 is therefore allowable.

Claim 6 is dependant upon claim 5 is allowable together with claim 5 for reasons set forth above. It is noted that no grounds for rejection of claim 6 were set forth in the Office Action.

In view of the above claims 1-6 as amended are in condition for allowance. Reconsideration and allowance is therefore requested.

The Patent Office is authorized to charge or refund  
any fee deficiency or excess to Deposit Account No. 12-0755.

Respectfully submitted,

Indira C. Prabhakar

By his attorney,

Robert L. Farris

Robert L. Farris  
Registration No. 25,112  
5291 Colony Drive North  
Saginaw, Michigan 48603  
989-799-5300

cam  
enc